

**MINUTES OF THE  
CITY OF GREENSBORO  
MINIMUM HOUSING STANDARDS COMMISSION  
REGULAR MEETING  
FEBRUARY 10, 2015**

The regular meeting of the City of Greensboro Minimum Housing Standards Commission (MHSC) was held on Tuesday, February 10, 2015 in the Council Chambers of the Melvin Municipal Office Building, commencing at 1:35 p.m. The following members were present: Justin Outling, Chair; Shermin Ata; Robert Kollar; Tyler Quinn; Ellen Sheridan; and Horace Sturdivant. Staff present included: Elizabeth Benton, Cheryl Lilly; Barbara Harris, Mark Wayman, Gloria Gray, and Inspectors Don Sheffield, Roy McDougal, Roddy Covington, Donald Foster, Rich Stovall, Jarod LaRue, and Brad Tolbert. Also present was Terri Jones, Attorney for the Commission, and Mary Lynn Anderson, City Attorney's Office.

**1. SWEARING IN OF CITY STAFF TO TESTIFY:**

City staff was sworn as to their testimony in the following matters.

**2. SWEARING IN OF OWNERS, CITIZENS AND ALL OTHERS TO TESTIFY:**

Property owners and citizens were sworn as to their testimony in the following matters.

**3. APPROVAL OF MINUTES FROM JANUARY 13, 2015 MEETING:**

Mr. Quinn moved approval of the January 13, 2015 meeting minutes as written, seconded by Ms. Sheridan. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Ata, Quinn, Kollar, Sturdivant, Sheridan. Nays: None.)

**4. REQUEST OF STAFF OF ANY CHANGES TO THE AGENDA:**

Compliance Coordinator Benton noted the following changes in the agenda:

**Item 14: 1329 Seminole Drive** - This item is being removed from the list of New Cases.

**Item 20: 2333 Floyd Street** - This item is being removed from the list of Rescinded Cases.

**Item 21: 313 Winston Street** - This item is being added to the list of Rescinded Cases.

***CONTINUED CASES:***

- 5. 702 Memphis Street** (Parcel #0029375) Barry A. Poteat, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington. Continued from November 13, 2014 meeting.  
**(INSPECTOR UPHELD)**

There was no one present to speak on this case.

Compliance Coordinator Benton stated that the property was initially inspected on March 13, 2014. The date of the hearing was April 8, 2014. The Order was issued on April 29, 2014. There are children living in the area where the property is located. The property did not have to be secured.

Chair Outling asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was February 6, 2015; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include exterior doors need to be

weathertight; screens on exterior doors should be self-closing and latching; windows do not open or close as manufactured; windows are missing locks that need repair; missing window screens; windows need to be weathertight; front porch guardrails are loose, damaged, or improperly maintained; appliances shall be capable of performing their intended function; cracked or missing electrical outlet covers; exposed wiring at light fixtures; missing smoke detectors; missing carbon dioxide detector; unclean and unsanitary floors, ceilings and/or walls; hole in bathroom closet door and bedroom door; exterior wood surfaces need to be maintained with paint or other protective coating; foundation walls have holes or cracks; property needs to be graded to prevent accumulation of standing water; front porch hand rails are loose, damaged, or improperly maintained; exterior property or premises shall be maintained in a clean, sanitary condition; utilities for heat, gas or electric, were not on at time of inspection; water heater not properly installed or maintained; accessory structure (fence) is damaged; walls have cracked, loose plaster, or other defective material that must be repaired or replaced; rotten flooring must be repaired; loose floor covering must be repaired or replaced; thermostat in hall needs to be repaired or replaced; exposed wiring at light fixtures throughout; bathrooms required to have door with interior locking mechanism for privacy.

Inspector Covington stated that the owner was to have come to the property to allow it be videotaped but did not show up. No progress has been made at the property since the last meeting.

Ms. Sheridan moved to uphold the Inspector, seconded by Mr. Sturdivant. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Ata, Quinn, Kollar, Sturdivant, Sheridan. Nays: None.)

Chair Outling stated that the property involved in this matter is located at **702 Memphis Street** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

6. **1554 Lovett Street** (Parcel #0011412) Jose and Virginia Toledo, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington. Continued from September 9, 2014 and December 9, 2014 meeting. **(CONTINUED UNTIL MAY 12, 2015 MEETING)**

Rosa Alonzo served as the interpreter for Virginia Toledo, one of the property owners, on behalf of the City.

Virginia Toledo, 1554 Lovett Street, reported that the sheetrock has been completed inside the house and painting will occur next week. She felt that all the work could be completed in two months.

Inspector Covington confirmed that a lot of progress has been made. The owner has completed approximately 80 percent of the work.

Ms. Sheridan moved to continue the case until the May 12, 2015 meeting, seconded by Mr. Quinn. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Ata, Quinn, Kollar, Sturdivant, Sheridan. Nays: None.)

7. **106 South Aycock Street** (Parcel #0011886) Leith and Adele Singletary, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from the January 13, 2015 meeting. **(INSPECTOR UPHELD)**

Leith Singletary, 106 South Aycock Street, advised the Commission that his contractor plans to secure the building permit during the month of February. The contractor was not able to provide a date when work would begin. Mr. Singletary was hopeful the work could begin in March. A formal contract has not yet been signed with the contractor. No work has been done as yet at the property. Mr. Singletary was unable to give a timeline for completion. The contractor is currently working on another job that requires most of his time.

Inspector McDougal stated that although the house is severely damaged, the property is secure.

Officer Douglas Campbell, Greensboro Police Department, 320 Federal Place, expressed concern with the danger posed by the damaged front porch. The porch would pose a hazard to any potential emergency service workers, police officers, or children in the community. He asked Commissioners to be aware of the danger posed by the front porch.

Mr. Sturdivant moved to uphold the Inspector, seconded by Mr. Quinn. The Commission voted 6-0 to uphold the Inspector. (Ayes: Outling, Ata, Quinn, Kollar, Sturdivant, Sheridan. Nays: None.)

Chair Outling asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was February 9, 2015; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include exterior ceiling contains holes, rotten and/or in disrepair; guardrails shall be at least 30" in height; deck, porch and/or patio flooring rotten or in disrepair; ceiling contains holes, rotten and/or in disrepair; exterior walls contains holes and/or breaks; exterior walls have loose or rotted material; gutters and downspouts are in disrepair; screens required on windows; exterior wood surfaces need to be maintained with paint or other protective coating; roof leaks; roofs sheathing needs repair; structural members of roof not able to support nominal load; structural members of roof rotten or deteriorated; exterior wood surfaces need to be maintained with paint or other protective coating; windows need glazing; electrical equipment needs to be properly installed and maintained; exposed wiring at meter box; ceilings contain holes, have loose material, and/or in disrepair; exterior walls have cracks, holes, or loose plaster; bedrooms must have door with interior lockset; interior walls have peeling, flaking, or chipping paint; windows do not open or close as manufactured and have missing locks or locks that need repair; power not on at time of initial inspection; utilities for heat, gas or electric, not on at time of inspection; water not on at time of initial inspection.

Chair Outling stated that the property involved in this matter is located at **106 South Aycock Street** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

8. **4433 Anderson Street** (Parcel #00056432). Ronald Miller, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Rich Stovall. Continued from the October 14, 2014 and January 13, 2015 meeting. **(CONTINUED UNTIL APRIL 14, 2015 MEETING)**

Ronald Miller, 4435 Anderson Street, stated that no progress has been made on the property since the last meeting. He distributed a plan of work to members.

Inspector Stovall stated that he and Mark Wayman worked with the owner last week to develop an outline for work with timelines and financial pieces necessary to complete the job.

Ms. Sheridan moved to continue the case until the April 14, 2015 meeting, seconded by Ms. Ata. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Ata, Quinn, Kollar, Sturdivant, Sheridan. Nays: None.)

Inspector Sheffield directed the owner to secure a building permit that represents the amount of work to be done.

- 9. 708 Haywood Street** (Parcel #35-1-27) Leroy Fields and Alicia Fields-Minkins, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from December 9, 2014 meeting. **(CONTINUED UNTIL MARCH 10, 2015 MEETING)**

Alicia Fields-Minkins, 5 Fleming Terrace Circle, indicated that the property has been boarded up and secured. There are currently three individuals interested in buying the property. She explained the complex financial situation involved with the purchase of the property.

Mr. Sturdivant expressed concern that there might be an issue about whether or not all lien holders were properly notified as a result of the issues raised by the property owner. Counsel Jones clarified for Mr. Sturdivant that when staff does the title search, they are looking for outstanding tax liens. They are not looking at the assessed tax value of the property. Compliance Coordinator Benton explained that the tax office is a separate entity from the Register of Deeds as far as tax billing. The tax office will list an address with a parcel ID; however, staff does not verify the address. Tax billing is a separate issue. All lien holders will be recorded with the Register of Deeds so staff is able to notify all interested parties including trustees, beneficiaries, mortgage holders, etc.

Ms. Fields-Minkins commented that the information recorded at the Register of Deeds will be incorrect because the City's address for the property does not match up with address used when the property was purchased. Compliance Coordinator Benton stated that in November, 2013 the parcel ID card matched the name and address and therefore, it was correct when the case started. An updated title search was done in September, 2014 and at that point, all information was correct as well. As the owner has suggested, information may have changed with the tax office in that time period between last fall and today.

Chair Outling pointed out the property owner's persistent efforts to bring a resolution to this matter through sale including her follow up with the tax office three weeks ago and her contact with tax office last week. This tax issue will have an effect on the sale as well as potential issues with regard to notice.

Chair Outling moved to continue the case until the March 10, 2015 meeting, seconded by Mr. Sturdivant. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Ata, Quinn, Kollar, Sturdivant, Sheridan. Nays: None.)

- 10. 1022 Portland Street** (Parcel #0008898) John and Karen Veal, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from September 9, 2014 and November 13, 2014 meetings. **(CONTINUED UNTIL MAY 12, 2015 MEETING)**

John Veal, 1203 Langley Terrace, Archdale, North Carolina updated members on progress that has been made on the property. The rotted wood has been replaced on the back porch, the missing ceiling has been replaced on the back porch, a window on one exterior wall has been replaced, siding has been finished, and the fascia board has been put on the structure. He expects progress to proceed much faster at this point. He estimated that the project should be 90 percent complete by the end of June, 2015.

Inspector Sheffield reported that electrical and plumbing roughs have been done. The owner did get another building permit to represent the scope of work that was being done. There have been no building inspections.

Ms. Sheridan moved to continue the case until the May 12, 2015 meeting, seconded by Ms. Ata. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Ata, Quinn, Kollar, Sturdivant, Sheridan. Nays: None.)

- 11. 1239 Randolph Avenue** (Parcel #003148) Margaret Freeman and Ruby Dean, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Brad Tolbert. Continued from December 9, 2014 meeting. **(CONTINUED UNTIL APRIL 14, 2015 MEETING)**

Doris Canada, 1409 Dunbar Street, was present to represent Ruby Dean, her sister-in-law. She stated that electrical work has been completed. They are paying the contractor as the work is being done. She expects the property to be in full compliance within three months, depending on the weather and finances.

Inspector Foster confirmed that electrical work has been completed and there is a plan to begin the plumbing work next. He felt the work could be completed within 90 days if their progress remains consistent.

Officer Roberts, Greensboro Police Department, 100 Police Plaza, stated that there have been narcotics and disorder issues at this property in the past which led to the property being condemned. Since it has been condemned, several individuals have been charged for occupying a condemned dwelling. He asked the owner to continue to keep the property secured and boarded up to avoid similar issues in the future.

Ms. Sheridan moved to continue this case until the April 14, 2015 meeting, seconded by Ms. Ata. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Ata, Quinn, Kollar, Sturdivant, Sheridan. Nays: None.)

- 12. 3102 Summit Avenue – Apartments I - N** (Parcel #0032354) Basil and Sophia Agapion, Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Jarod LaRue. Continued from January 14, 2014; April 8, 2014; and December 9, 2014 meetings. **(CONTINUED UNTIL APRIL 14, 2015 MEETING)**

Irene Agapion, 625 South Elm Street, explained that since December, 2014, they have closed 11 cases so that they would not come before the Commission. One case was an eight unit building that was requested to be rescinded. A lot of the same contractors are used to do their work. In addition, three other units apart from the apartments have been completed.

Ms. Agapion stated that there are 14 units at 3102 Summit Avenue. Out of the 14 units, 12 units are 100 percent complete and in compliance. Unit N is approximately 60 percent complete and unit I is 50 percent complete. Winter weather has delayed progress on these units. The outstanding items include new floor covering in kitchen and bath area for unit N. A mechanical contractor has been hired to inspect the last two units because it has been a long time since anyone has had service for natural gas and they could not sign up for service because Piedmont Natural Gas did not have any record of it. Her target date for completion if the weather cooperates is March, 2015. She felt certain the property would be in full compliance by the April, 2015 Commission meeting.

Mr. Kollar moved to continue the case until the April 14, 2015 meeting, seconded by Mr. Quinn. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Ata, Quinn, Kollar, Sturdivant, Sheridan. Nays: None.)

- 13. 808 Haywood Street** (Parcel #0005965) Bulent Bediz, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. Continued from the January 13, 2015 meeting. **(INSPECTOR UPHELD)**

Bulent Bediz, 808 Lexington Avenue, asked Chair Outling to recuse himself from this case. He said that Chair Outling is a member of a law firm that has UNC-Greensboro as a client. This property is directly connected to UNC-Greensboro and was purchased from them last year. Because of UNC-Greensboro's intention to acquire all these properties, he felt there was a conflict of interest in this matter and he asked Chair Outling to recuse himself. Chair Outling stated that he is an associate at a law firm that may or may not have UNC-Greensboro as its client. He does not represent UNC-Greensboro in any active matters. He has agreed to serve on the Board of Visitors at UNC-Greensboro as an advocate on the University's behalf. There is no evidence before the Commission regarding UNC-Greensboro's intent to purchase this property. UNC-Greensboro is not a title or lien holder on this property and by Mr. Bediz's admission, UNC-Greensboro has indicated it has no intent to purchase the property. Therefore, he is choosing not to recuse himself. He requested a motion to be made by any Commissioner who felt recusal was in order. There were no motions for his recusal.

Counsel Jones clarified State law with respect to quasi-judicial hearings. She indicated that there does need to be a ruling on the recusal request.

Mr. Bediz presented signed agreements with the University that he said showed how the University was intending to acquire all the properties that his houses are located on. The documents were signed and notarized.

Mr. Kollar asked Counsel why the Commission has not voted on the matter of recusal in the past. Counsel Jones advised the Commission out of caution to vote on the matter under State law. There have been situations where there have and have not been votes on recusal. State law does not say who has standing to make the objection but considering Mr. Bediz makes this request on an almost monthly basis, she felt it was appropriate for the Commission to take some action with respect to the request.

Mr. Bediz stated his opinion that it was illegal to proceed in the past meetings without a vote on the recusal request.

Counsel Jones clarified that the City Code of Ordinances prohibits members of a Board or Commission to vote on a matter in which the member has a separate private or monetary interest, either direct or indirect, in the matter. The matter before the Commission is the property and whether it should be repaired or demolished. In addition, State law talks about financial interest in the outcome of the matter before the Board. Just because there may be another matter involving issues between the parties does not necessarily require recusal.

Counsel Jones asked Chair Outling if he had a financial interest in the outcome of whether this property is ordered to be repaired or demolished. Chair Outling replied that he had no such financial interest and no interest in UNC-Greensboro whether or not it acquires this property or does not acquire this property. He stated that he has no interest in the disposition of this property at all.

The Commission voted unanimously by acclamation against recusing Chair Outling in this matter.

Mr. Bediz described the history of the property and said that no repairs were made during the years it was owned by the University but as soon as it returned to ownership by Mr. Bediz, the Inspector came and condemned the property. Upon ownership, Mr. Bediz secured the property and cleaned it up on the outside.

Chair Outling asked Mr. Bediz for a timeline to bring the property into compliance. Mr. Bediz said that he could not answer the question. He stated his intention to repair and rebuild this property, as well as all of his properties. He has spent a lot of time coming up with the drawings that illustrate how he plans to renovate the property, as shared at the last meeting.

Chair Outling asked Mr. Bediz for any new evidence beyond what was presented at the last meeting in regard to his plan. Mr. Bediz said that this was a complete rebuilding project and Minimum Housing standards do not apply to this property as he intends to fix it.

Mr. Bediz stated that he has called the building inspection department in Raleigh to inform them of his plans. He was told that once he gets a building permit to do the rebuilding of the property, the Minimum Housing Standards Commission has nothing to do with this. Inspector Sheffield stated that was an incorrect statement because two different laws are involved.

Mr. Bediz was told that if a project was to be done at this scale, a building permit must be secured and if the project is in excess of \$30,000 he must engage a building contractor. Once the building permit is issued, it becomes an altogether separate entity. Inspector Sheffield stated that the State law on building permits says that there is a six-month time frame to begin construction once a building permit is secured and a year after that per inspection. Minimum Housing rules are not alleviated just because a building permit is secured because that is a different set of ordinances.

Chair Outling moved to uphold the Inspector, seconded by Mr. Quinn. The Commission voted 4-2 in favor of the motion. (Ayes: Outling, Quinn, Sturdivant, Ata. Nays: Kollar, Sheridan)

Mr. Kollar stated that the reason he voted no to the motion was because he did not have complete information. He urged the Commission not to move too fast in the future.

Ms. Ata moved to reopen this case, seconded by Mr. Kollar. Counsel Jones referred to the previous motion and pointed out that Mr. Kollar was not on the prevailing side of the motion. Therefore, Chair Outling moved to reopen the case, seconded by Ms. Ata. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Quinn, Sturdivant, Ata, Kollar, Sheridan. Nays: None.)

Chair Outling stated that the case has been reopened to allow additional questions and statements.

Mr. Kollar asked Mr. Bediz what had been done concerning the violations since the last meeting. Mr. Bediz said that he has tried to eliminate all the mysteries regarding this house in order to figure out the rebuilding plans to be able to apply for a building permit.

Responding to a question from Mr. Bediz, Inspector Sheffield stated that if the Inspector is upheld the house must be in compliance within 90 days. If the owner starts bringing the property into compliance, he can still get a building permit. However, having a building permit does not give six months to infinity to bring the property into compliance with the order from this Commission.

Mr. Bediz stated that he has cleaned out all the rotted materials and taken out the existing siding out. He has perfected his drawings and is ready to go forward with the building permit.

Mr. Kollar asked Inspector Stovall what has been done since the last meeting relating to the violations. Inspector Stovall said that nothing has been done relating specifically to the violations.

Mr. Bediz stated that it made no sense to comply with the violations because once in compliance, he would have to tear everything up and start all over again in order to rebuild the house.

Members reiterated that Mr. Bediz needed to address the violations listed for the property. Mr. Bediz stated that he could not do that and stated his opinion that the system was broken.

Chair Outling moved to uphold the Inspector, seconded by Mr. Quinn. The Commission voted 5-1 in favor of the motion. (Ayes: Outling, Quinn, Sturdivant, Kollar, Ata. Nays: Sheridan.)

Chair Outling asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was February 9, 2015; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include needs premises identification; porch steps rotten or in disrepair; front and back porch flooring rotten or in disrepair; exterior wood surfaces need to be maintained with paint or other protective coating; chimney not maintained or in good repair; exterior walls have holes or breaks; exterior walls not weatherproof; exterior walls have loose or rotten material; flashing required around chimney; foundation walls have holes or cracks; roof leaks; exterior porch ceilings contain holes, rotten wood or in disrepair; dwelling needs 3 wire, 120/240 volt, 360 amp service; power not on at time of initial inspection; missing smoke detectors; duct system must be capable of performing its required function; utilities for heat were not on at time of initial inspection; heating system not capable of maintaining 68 degrees in habitable rooms; every dwelling shall contain bathtub or shower, bathroom sink, commode, separate kitchen sink; water not on at time of initial inspection; water heater not properly installed or maintained; exterior doors difficult to operate; interior ceiling contains holes, is rotten or in disrepair; unclean and unsanitary floors, ceilings and/or walls; structural members of walls unable to support imposed load; interior walls have peeling or chipping, flaking paint that must be repaired; interior walls have cracked plaster, decayed wood or other defective material; rotten or missing floor must be repaired; loose floor covering must be repaired or replaced; roof not properly anchored; structural members of roof rotten or deteriorated; exterior doors need to be weathertight; bathroom and bedrooms must have door with interior lockset; windows do not open or close as manufactured; windows missing screens; windows need glazing; windows have missing or broken locks; windows need to be weathertight.

Chair Outling stated that the property involved in this matter is located at **808 Haywood Street** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

#### **NEW CASES:**

- 14. 1329 Seminole Drive** (Parcel #0006610) Warren K. Humphrey, Owner. In the Matter to Repair, Alter or Improve Structures. Inspector Roddy Covington. **(REMOVED)**
- 15. 2201 Linda Lane** (Parcel #0026573) Shadow Group LLC, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roddy Covington. **(INSPECTOR UPHELD)**

Compliance Coordinator Benton stated this property was initially inspected on September 11, 2014. A hearing was held on December 16, 2014. An Order to Repair was issued on December 18, 2014 and expired January 19, 2015. The property did not have to be secured. There are children living in the area where the property is located.

Chair Outling asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was February 6, 2015; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include loose, damaged, improperly maintained front porch handrails; steps are rotten or in disrepair on front area near driveway; foundation wall ventilation not maintained or missing; roof drains, gutters and downspouts in disrepair; power not on at



time of initial inspection; missing smoke detectors; carbon monoxide detector required; toilet is loose or not properly secured; ventilation cover is missing from bathroom fan; all exterior surfaces shall be maintained in good condition and shall be protected from decay by means of paint or other protective covering; exterior walls shall be free of holes, breaks and loose or rotting materials; all windows shall be easily operable and capable of being held in position by window hardware; heat—gas/electric, not on at time of initial inspection.

There was no one present to speak on this property. Staff has not been contacted by the property owner regarding his or her inability to attend the meeting.

Mr. Sturdivant moved to uphold the Inspector, seconded by Ms. Ata. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Ata, Sturdivant, Kollar, Quinn, Sheridan. Nays: None.)

Chair Outling stated that the property involved in this matter is located at **2201 Linda Lane** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

**16. 817 Lexington Avenue** (Parcel #0005922) David Bediz, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. **(INSPECTOR UPHELD)**

Compliance Coordinator Benton stated this property was initially inspected on January 31, 2013. A hearing was held on March 4, 2013. An Order to Repair was issued May 15, 2013 and expired June 21, 2013. There are children living in the area where the property is located.

Chair Outling asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was February 5, 2015; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions. She commented that although not a duplex, the unit is being used as one.

Compliance Coordinator Benton stated that the list of violations include exposed wiring at outlet and light fixture; power not on at time of inspection; doors difficult to operate; plumbing facilities must be maintained in a safe, sanitary and functional condition; inoperable smoke detectors; unclean and unsanitary floors, ceilings and/or walls; walls have peeling, chipping or flaking paint that must be repaired, removed or covered; walls have cracks, holes or loose plaster, decayed wood or other defective material; loose floor covering must be repaired or replaced; exterior doors need to be weathertight; screens required on windows; windows need to be weathertight; ceiling contains holes, loose material and/or in disrepair; exterior wood surfaces need to be maintained by painting or other protective coating; foundation walls have holes or cracks; exterior walls have loose or rotted material; needs premises identification; flashing required around chimney; heating system not maintaining 68 degrees in habitable rooms, specifically bathroom; missing smoke detector; carbon monoxide detector required in unit; bathroom and bedrooms must have a door and interior lock set; bathroom requires ventilation system when window isn't provided; bathroom commode is loose and unstable

Bulent Bediz, 808 Lexington Avenue, asked staff if the bank had been notified in this matter. Compliance Coordinator Benton replied in the affirmative. He asked for a copy of the notification and was advised he would be supplied a copy. Mr. Bediz felt that service had not been correctly made in this case and he

requested that proper service be made. Compliance Coordinator Benton stated that a title search was made in March and service had been provided to everyone who is a part of the foreclosure process. Mr. Bediz is not the owner of this property. Mr. Bediz informed members that the property belongs to his son and he is acting on behalf of his son with power of attorney. He did not bring a copy of the power of attorney to the meeting but the document is registered with the Register of Deeds. Staff indicated they did not have a copy of the power of attorney. Mr. Bediz referred to bank documents and stated that the lien holder has changed and staff does not have that information.

Chair Outling asked Mr. Bediz to comment on his son's intention to bring the property into compliance. Mr. Bediz stated that he could not comment because service was not properly made. He would like the lien holder to be notified.

Given the absence of intent or any evidence of any intent to bring the property into compliance as well as the absence of any timeline for bringing the property into compliance, Mr. Outling moved to uphold the Inspector, seconded by Mr. Sturdivant. The Commission voted 4-2 in favor of the motion. (Ayes: Outling, Sturdivant, Kollar, Quinn. Nays: Ata, Sheridan.)

Chair Outling stated that the property involved in this matter is located at **817 Lexington Avenue** in Greensboro, North Carolina. The property owner and all parties in interest in said property have been properly served with all Complaints, Notices and Orders issued in this matter in compliance with the law. The property owner and all parties in interest were afforded their due process rights in compliance with the law. The property in question has more than five separate types of violations of any of the Minimum Housing Code Standards. The continuation of this dwelling in its current condition is detrimental to the health, safety, morals and welfare to the people within the City of Greensboro and is unfit for human habitation. Based on the foregoing findings of fact, it is hereby concluded that this matter is properly before this Commission; the described structure is dangerous and unfit for human habitation; and the Inspector is proper in all respects.

Therefore it is **Ordered, Resolved** and **Decreed** by vote of the Commission that the Inspector is upheld.

- 17. 2503 Darden Road** (Parcel #0049323) Bank of American, NA, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Brad Tolbert.  
**(CONTINUED UNTIL MARCH 10, 2015 MEETING)**

Compliance Coordinator Benton stated this property was initially inspected on October 24, 2013. A hearing was held on October 17, 2014. An Order to Repair was issued October 28, 2014 and expired December 1, 2014. The property did not have to be secured. There are children living in the area where the property is located.

Chair Outling asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was February 9, 2015; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include cracked, missing electrical outlet and switchplate covers; doors difficult to operate; missing smoke detectors; dwelling shall be kept free from insect and rodent infestation; unclean/unsanitary floors, ceilings and/or walls; structural members of walls are unable to support imposed load; walls have peeling, chipping, or flaking paint; walls have cracks, holes, or loose plaster, other defective material; rotten flooring must be repaired; exterior doors need to be weathertight; exterior wood surfaces need to be maintained with paint or other protective coating; exterior walls contain holes or breaks; exterior walls are not weatherproof; all accessory structures shall be maintained structurally sound and in good repair; all exterior property shall be maintained free from weeds/plant growth in excess of 12".

Greg Spink, 5121 Plaza Parkway Boulevard, Charlotte, North Carolina, was present on behalf of Bank of America. He is present for another case and noticed that Bank of America is owner of this property. He performed a quick search with the Register of Deeds and learned that the bank took over this property on August 14, 2014 as a foreclosed property. He asked the Commission to continue the case for 30 days to allow the bank to determine how to proceed.

Inspector Tolbert was at the property on February 9, 2015 and there were individuals working for the bank cleaning out the property. He has not spoken to any other party regarding this matter. The property is secure.

Mr. Kollar moved to continue the case until the March 10, 2015 meeting, seconded by Ms. Ata. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Ata, Quinn, Kollar, Sturdivant, Sheridan. Nays: None.)

**18. 512 Doak Street** (Parcel #0003511) James Griffin, Owner. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. **(CONTINUED UNTIL APRIL 14, 2015 MEETING)**

Compliance Coordinator Benton stated this property was initially inspected on July 25, 2014. A hearing was held on August 19, 2014. An Order to Repair was issued the same day and expired September 18, 2014. The property did not have to be secured. There are children living in the area where the property is located and an elementary school is nearby.

Chair Outling asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was February 6, 2015; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include exterior wood surfaces need to be maintained by painting or other protective coating; exterior walls contain holes and/or breaks; exterior walls have loose or rotted material; ducts, roof drains, gutters and downspouts in disrepair; roof leaks; electrical equipment need to be properly installed and maintained, thermostat destroyed by fire; dwelling needs 3 wire, 120/240 volt 60 Amp service; power not on at time of initial inspection; exterior doors difficult to operate; interior doors difficult to operate; missing smoke detectors; electrical equipment needs to be properly installed and maintained; carbon monoxide detector required; all appliances shall be capable of performing the intended function; heat-gas/electric, not on at time of inspection; water heater not properly installed or maintained; water heater relief valve improperly installed and/or maintained; plumbing fixture/toilet loose/not properly secured; duct system must be capable of performing required function; unclean and unsanitary floors, ceilings and/or walls; wall has cracked or loose plaster, decayed wood or other defective material that must be corrected; loose floor covering must be repaired or replaced; roof has damaged sheathing; roof not properly anchored; structural member of roof not able to support nominal load; roof structural member rotten or deteriorated; wall has peeling, chipping, or flaking paint that must be repaired, removed or covered; bedrooms must have a door and interior lock.

James Griffin, 1306 Bilbro Street, stated that his intention is to sell the property. He requested 60 days to sell the property and settle with the insurance company. The property has been re-boarded and secured.

Mr. Kollar moved to continue the case until the April 14, 2015 meeting, seconded by Ms. Ata. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Ata, Quinn, Kollar, Sturdivant, Sheridan. Nays: None.)

**19. 3607 McCuiston Road, #16** (Parcel #0062199) Covington Place Homeowners Association, Inc., Owners. In the Matter of Order to Repair, Alter or Improve Structure. Inspector Roy McDougal. **(CONTINUED UNTIL APRIL 14, 2015 MEETING)**

Compliance Coordinator Benton stated this property was initially inspected on August 27, 2014. A hearing was held on August 27, 2014 and again on October 21, 2014. An Order to Repair was issued October 30, 2014 and that order expired December 2, 2014. The property did not have to be secured. There are children living in the area where the property is located.

Chair Outling asked Compliance Coordinator Benton if the video that was shown was a fair and accurate representation of the property; if all parties in interest were properly served with all notices, complaints and orders issued in this matter; the last time the property was visited was February 9, 2015; the property is not a duplex or multiunit apartment; there are more than five separate types of violations of any of the minimum housing standard codes. Compliance Coordinator Benton stated that she agreed with these questions.

Compliance Coordinator Benton stated that the list of violations include power not on at time of initial inspection; heat-gas/electric, not on at time of inspection; water not on at time of inspection; exterior wood surfaces need to be maintained by painting or other protective coating; exterior walls contains holes and/or breaks; exterior walls have loose or rotted material; roof drains, gutters, and downspouts in disrepair; missing smoke detectors; unclean and unsanitary floors, ceilings and/or walls; all peeling, chipping, flaking or abraded paint shall be repaired, removed or covered; all cracked or loose plaster, decayed wood or other defective surface conditions shall be repaired or replaced; loose floor covering must be repaired or replaced; ceiling contains holes, loose material and/or in disrepair; all exterior doors and door frames shall be kept in sound condition, good repair and be weathertight; all windows and window frames shall be kept in sound condition, good repair, and be weathertight.

Michael Taliercio, 3623 North Elm Street, is an attorney representing Covington Place Homeowners Association (HOA). The HOA does not have any intentions toward the property. Bank of America has a pending foreclosure against the property and it is their intent to repair the property. If the bank intends to repair the property, the HOA's position would be in support of continuing the case to allow the bank to proceed with repairs.

Greg Spink, 5121 Plaza Parkway Boulevard, Charlotte, North Carolina, is present on behalf of Bank of America. He distributed photos of the property showing progress that has been made cleaning interior surface areas at the property. Debris, trash, and weeds have also been removed from exterior areas. The bank will eventually become the owner and they want to bring the property into compliance. There are title issues involved with the Deed of Trust and therefore, a traditional foreclosure is underway. He said that the foreclosure can occur during the time repairs are being made. Mr. Spink estimated a timeline of 60 to 90 days to finish the foreclosure. Bids have already been received for the work and based on his experience; he felt the repairs could be made within 60 to 90 days.

Ms. Sheridan moved to continue the case until the April 14, 2015 meeting, seconded by Mr. Quinn. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Ata, Quinn, Kollar, Sturdivant, Sheridan. Nays: None.)

#### ***RESCINDED CASES:***

**20. 2333 Floyd Street** (Parcel #0025912) Despina Agapion Psatha, Owner. **Repaired by Owner (REMOVED)**

**21. 313 Winston Street. (RESCINDED)**

Mr. Kollar moved to rescind 313 Winston Street, seconded by Ms. Ata. The Commission voted 6-0 in favor of the motion. (Ayes: Outling, Kollar, Ata, Quinn, Sheridan, Sturdivant. Nays: None.)

**ADDITIONAL BUSINESS:**

Counsel Jones informed Commissioners that two cases last month involving Nellie Jones, LLC have been appealed by Mr. Bediz. However, Mr. Bediz is not an attorney and the legal department is exploring whether or not he has standing to file the appeals. The two cases are pending appeal at this time.

**ADJOURNMENT:**

There being no further business before the Group, the meeting adjourned at 3:38 p.m.

Respectfully submitted,

Justin Outling  
Chairman, City of Greensboro Minimum Housing Standards Commission

JO: sm/jd